

**DURHAM CITY COUNCIL WORK SESSION
THURSDAY, NOVEMBER 20, 2007 – 1:00 P.M.
Committee Room – 2nd Floor – City Hall**

Present: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. **Excused Absence:** Mayor Bell.

**SUBJECT: AMENDMENTS TO THE VOLUNTEERS OF AMERICA LIFE
HOUSE AND VOLUNTEERS OF AMERICA DURHAM MAPLE
COURT LOAN AGREEMENTS**

MOTION by Council Member Catotti seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:14 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Absent At Time of Vote: Council Member Stith. Excused Absence: Mayor Bell.

MOTION by Council Member Clement seconded by Council Member Catotti to authorize the City Manager to execute an amendment to the existing loan agreements and related documents for Volunteers of America Life House, Inc. and Volunteers of America Durham Maple Court, Inc. for the City to assume the third lien position during the construction and permanent phases of the loans was approved at 1:14 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Absent At Time of Vote: Council Member Stith. Excused Absence: Mayor Bell.

**SUBJECT: CHAPEL HILL STREET PARKING DECK CMAR
CONSTRUCTION AMENDMENT FOR STRUCTURAL REPAIRS –
BALFOUR BEATTY**

City Manager Baker briefed the council on this item. He stated the repairs need to be addressed quickly on the Chapel Hill Street parking deck. A handout was provided on the timeline of events regarding Chapel Hill Street parking deck emergency repairs.

MOTION by Council Member Clement seconded by Council Member Catotti to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 3:26 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Mayor Bell.

MOTION by Council Member Clement seconded by Council Member Catotti to authorize the City Manager to negotiate and execute a General Services bundle amendment No. 2 with Balfour Beatty for construction of repairs at Chapel Hill Street parking deck if the guaranteed maximum price (GMP) does not exceed \$732,600.00;

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To authorize the City Manager to establish a project contingency in the amount of \$51,300.00; and

To authorize the City Manager to negotiate and execute change orders on the amendment No. 2 provided the total cost does not exceed \$783,900.00 which is the full amount budgeted for construction phase services plus the project contingency was approved at 3:26 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Mayor Bell.

SUBJECT: ROYAL SEVEN MARKER COMMITTEE

To receive comments from Eddie Davis regarding a state historic marker for the June 23, 1957 Royal Ice Cream Parlor Sit-in.

R. Kelly Bryant spoke on behalf of Eddie Davis. Mr. Bryant requested that the City Council adopt a Resolution of Support for the December 17, 2007 Appeal to the Highway Historic Marker Advisory Committee at the Office of Archives and History. Mr. Bryant stated by adopting a resolution the council would be supporting and endorsing the efforts of Virginia Williams, himself and others with their appeal to the Highway Historical Marker Advisory Committee for a state historic marker recognizing the Royal Ice Cream Parlor Sit-in which occurred in Durham on June 23, 1957.

MOTION by Council Member Clement seconded by Council Member Catotti to suspend the rules and take action on the request of R. Kelly Bryant was approved at 3:53 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Mayor Bell.

MOTION by Council Member Woodard seconded by Council Member Catotti to receive comments from R. Kelly Bryant regarding a state historic marker for the June 23, 1957 Royal Ice Cream Parlor Sit-in; and

To adopt a Resolution of Support for the December 17, 2007 Appeal to the Highway Historic Marker Advisory Committee at the Office of Archives and History [with resolution of support to be presented at the December 3, 2007 City Council Meeting] was

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approved at 3:53 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Mayor Bell.

Resolution #9516

D. Ann Gray, CMC
City Clerk